

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS
WORCESTER DIVISION

SOLMETEX, INC.,

Plaintiff,

v.

MAXIMUM SEPARATION SYSTEMS, INC.,

Defendant.

Civil Action No. 04-CV-40024 (FDS)

FOURTH JOINT MOTION TO EXTEND SCHEDULING CONFERENCE

The parties to this action respectfully request that this Court again extend the date for the Scheduling Conference, which is currently scheduled for April 11, 2005 at 11:00am, until **May 31, 2005** (or whatever date best suits the Court). The parties are also in agreement that the Plaintiff may have additional time, until June 1, 2005, to file an Answer.

As grounds for this Motion, the parties say as follows:

1. The parties have made great progress in settlement discussions and are presently ironing out the final details. The parties realize that this is their fourth consecutive motion to extend the scheduling conference. In hindsight, given the number of settlement issues that needed to be resolved, the parties would have been wiser to file only one motion to extend for a four or five month period, rather than filing consecutive motions for one month at a time. Given the high likelihood that the case actually will settle very shortly, however, the parties beg the Court's indulgence to allow one final extension rather than waste the Court's time with a Scheduling Conference that would ultimately be moot.

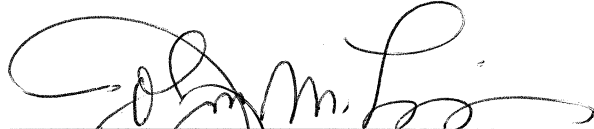
2. The allowance of this Motion will not prejudice any party and will serve the interests of justice and judicial economy.

WHEREFORE, the parties respectfully request that this Court allow the extension.

Dated: April 5, 2005

Respectfully submitted,

MAXIMUM SEPARATIONS SOLUTIONS, INC.



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CERTIFICATE OF SERVICE

I hereby certify that on February 28, 2005 I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following: John M. Skenyon, counsel for Maximum Separation Systems, Inc., and I hereby certify that I have mailed by United States Postal Service the document to the following non CM-ECF participants: Jennifer L. Jolley and Rex B. Stratton, counsel for Maximum Separation Systems, Inc., Stratton Ballew PLLC, 1411 Fourth Avenue, Suite 850, Seattle, Washington 98101.


Kurt S. Kusiak